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February 7, 1997

RECEIVED

0429

FEB 7 1997

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

VIA HAND DELIVERY

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
Room 222  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: PR Docket 92-235  
Ex Parte filing of Industrial  
Telecommunications Association, Inc.

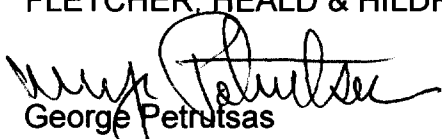
Dear Mr. Caton:

Pursuant to the Commission's Public Notice DA 97-206, released on January 28, 1997, we are filing the response of the Coalition of Industrial and Land Transportation Radio Users ("Coalition"). In accordance with the instructions in the Public Notice, the original of the attached response is to be referred to the Private Wireless Division, Wireless Telecommunications Bureau. Two extra copies are also enclosed. They are for the Commission's official files for PR Docket 92-235.

Please communicate with us if further information is required.

Very truly yours,

FLETCHER, HEALD & HILDRETH, P.L.C.

  
George Petrutsas  
Counsel for Coalition of Industrial  
and Land Transportation Radio Users

GP:cej  
Enclosures

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ORIGINAL

**COALITION OF INDUSTRIAL  
AND LAND TRANSPORTATION  
RADIO USERS**

0429

February 7, 1997

**VIA HAND DELIVERY**

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
Room 222  
1919 M Street, N.W.  
Washington, D.C. 20554

Attn: Private Wireless Division  
Wireless Telecommunications Division

Re: Ex Parte filing of Industrial  
Telecommunications Association  
in PR Docket 92-235  
FCC Public Notice DA 97-206

Dear Mr. Caton:

The Coalition of Industrial and Land Transportation Radio Users ("Coalition") submits these comments on the above-referenced filing of the Industrial Telecommunications Association ("ITA"). The Coalition consists of five associations of land mobile wireless users: The American Automobile Association ("AAA"), the American Trucking Associations, Inc. ("ATA"), Forest Industries Telecommunications ("FIT"), the International Taxicab and Livery Association ("ITLA"), and the Manufacturers Radio Frequency Advisory Committee, Inc. ("MRFAC"). These associations represent tens of thousands of land mobile wireless users in important industries and in transportation in which mobile wireless systems play essential roles in safety and productivity. The Coalition and its members have participated extensively in the proceedings in PR Docket 92-235 and are vitally interested in the subject matter of the above-referenced filing.

**ITA's Two-Pool Consolidation Proposal**

Briefly, the Coalition views ITA's filing not as a "blueprint" for frequency use in the post- re-farming environment, as ITA describes it, but rather as an out-of-time attempt to promote adoption of the two-pool consolidation of the private land mobile

Mr. William F. Caton  
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wireless services which ITA proposed in PR Docket 92-235. The filing also includes several difficult to understand and largely unexplained exceptions to ITA's two-pool proposal for the benefit of such industries as the railroads and the service industry at airports. Otherwise, ITA's "blueprint" is basically a compilation of frequencies the Commission listed in its Second Report and Order in PR Docket 92-235 only organized into two lists, one for a "public safety" and the other for a "private wireless" service.

There are now before the Commission several service consolidation proposals, in addition to the ITA/PCIA proposal for a two-pool consolidation. The Coalition has submitted its own consolidation proposal. The Coalition's proposal calls for four (4) pools: Public Safety, Business, Industrial/Utilities, and Land Transportation.<sup>1</sup> Therefore, as a threshold matter, the Commission must first choose one of the proposed plans, or adopt one of its own. Once that is done, and only then, can the details of implementation be properly resolved.

The Coalition strongly opposed and continues to oppose the two-pool consolidation proposal. Its members believe that adoption of such a plan would be disastrous for the private land mobile wireless services. It would cast aside spectrum policies and licensing rules developed over many years that have successfully guided the development of hundreds of thousands of private mobile wireless communications systems, with minimum government involvement and at minimum cost. The two-pools advocated by ITA would eliminate all hopes for user and industry compatibility; would eliminate the highly successful geographic sharing among such industries as Power, Petroleum, Forest Products, and Manufacturing, among others; would ignore safety requirements, which are more critical in some services than in others; and would do away with licensing policies important for some industries but not for others (such as, mobile relay systems on VHF frequencies vital in services such as Forest Products where wide-area coverage is necessary, but not in others). Two-pool consolidation would also, of course, destroy the foundation for the representative coordinator system -- a system under which coordinators know the requirements and specialized characteristics of the industry they serve. They would be replaced by coordinators who would simply pick frequencies out of a very large pool. Such coordination would result

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<sup>1</sup>See the Coalition's Consolidation Plan proposal filed in PR Docket 92-235 on November 20, 1995. Under that plan, the Public Safety Pool would include all of the current Public Safety Services; the Business Pool would include the Business Service, Private Carriers, Special Emergency (other than Emergency Medical), the Special Industrial and its allied small services, Motion Pictures and Relay Press. The Industrial/Utilities Pool would include Power, Petroleum, Manufacturers, Forest Products and Telephone Maintenance; and the Land Transportation Pool would include the Motor Carrier, Railroad, Taxicab and the Automobile Emergency Radio Services.

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in "plain vanilla", one-size-fits-all land mobile wireless systems of questionable value and effectiveness. The Coalition believes that a two-pool system will bring about greatly increased interference problems and the degradation of private mobile communications facilities that play such an important role in promoting the safety and productivity of the Nation.<sup>2</sup>

By contrast, the consolidation plan proposed by the Coalition would achieve the Commission's objective of reducing the number of the private land mobile wireless services while preserving many of the benefits of the spectrum management system under which private land mobile wireless communications have developed so successfully. The Coalition's Plan would preserve some user compatibility and would be consistent with historical sharing patterns. It recognizes safety and other priority requirements and would maintain to a large degree coordinator representiveness.

In sum, the Coalition urges the Commission to reject ITA's two-pool consolidation proposal and to adopt the Coalition's four-pool proposal as the best compromise. It fits within the Commission's consolidation guidelines and would serve the specialized needs and requirements of the land mobile wireless user community. Those "specialized" needs and requirements were recognized by and were highlighted in the Bureau's insightful recent study of the private services. See, Staff White Paper, Private Land Mobile Radio Services, December 18, 1996, Executive Summary, and pp. 7-15.

### **Coordination**

ITA argues that adoption of a two-pool consolidation would "obviate" the need for "concurrence" in the frequency coordination process. Under ITA's approach, a frequency coordinator would select a frequency and then simply notify all other

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<sup>2</sup>Conceivably, two pools -- or, even one pool -- might make sense if all PMRS users had the same or similar communication requirements and were on exclusive channels. But 50 years of licensing history has yielded hundreds of thousands of licensees who operate an almost infinite variety of systems in a shared channels environment. For many, if not most, of these licensees exclusive channels will never be the answer -- either because the transaction costs of securing co-channel concurrences are too high, or because loading levels can not be justified, to name only two factors. For these many thousands of licensees shared channels will remain the order of the day and for them sharing compatibility will be critical. ITA's two pool premise ignores this reality and effectively consigns these licensees to dramatically impaired service. This does not serve the public interest.

coordinators of the selection and would send the application to the Commission. There would be no possibility for objections or discussions about the efficacy of the frequency selection. The Coalition strongly disagrees with that approach to frequency coordination. Indeed, the Coalition believes that the need for concurrence would be greater than it is now if the Commission consolidates the services, and more so if the consolidation results in two frequency pools. This issue was discussed in the Coalition's letters to the Commission dated December 20, 1996 and January 21, 1997, copies of which are attached for ready reference. Briefly, the Coalition believes that a requirement for concurrence, at least from the "home" service coordinator, need not be cumbersome, as ITA argues, and will ensure that, particularly in the course of transitioning to consolidated pools, users whose communication facilities are critical for safety and for operational considerations would not suddenly find themselves subject to interference. Moreover, without the opportunity for a response to a coordination proposal there would be no opportunity to resolve objections or potential conflicts at the coordination level. Instead, objections would be brought to the Commission after the application is filed. This, of course, would increase the Commission's workload and would delay the licensing process.

In sum, the Coalition strongly believes that under any consolidation regime, coordination must involve an opportunity to respond to a coordination proposal. Otherwise, "coordination" would be a meaningless exercise.

### **Special Exceptions**

Without adequate explanation, ITA proposes to carve special exceptions to the frequency consolidation for such industries as the railroads, for entities providing services at airports (such as food services, baggage handling, aircraft services, etc.), central station protection, oil spill clean up, and others. The Coalition has no particular objection to those proposals and assumes that representatives of the industries involved would comment on their efficacy.<sup>3</sup> Nevertheless, if the Commission is of a

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<sup>3</sup>However, we are at a loss to understand how it is that an airport servicing worker or a railroad worker, for example, is more deserving of protection than a forest product worker - an industry with the highest accident rate of any in the United States; or taxi drivers -- an occupation which has the highest rate of homicide on the job; or manufacturing employees required to work in close proximity to vats of molten steel being lifted overhead by radio-controlled cranes; or automobile emergency crews responding to calls from motorists stranded on lonely highways at night. Are any of these workers less deserving of protection from interference? We think not, yet ITA's proposal would produce just this result.

mind to carve out special exceptions from any consolidation plan, such proposals must be made in a further notice of proposed rule making with adequate opportunity for interested persons to respond.

### **The Protected Service Area Concept**

ITA has assumed that the "protected service area" (PSA) concept proposed by LMCC in its comments on the Further Notice would be adopted and would be successful. It appears that ITA believes that the degree of exclusivity contemplated under the LMCC PSA approach would obviate many of the objections to consolidation, especially to consolidation into two frequency pools. The Coalition disagrees. As discussed previously, such expectations are unjustified, especially in urban areas where frequencies sharing is extensive. Moreover, criteria for PSA authorizations have not been determined and development of such criteria is expected to be a difficult task. It must be kept in mind that hundreds of thousands of land mobile wireless users operate on shared frequencies and will continue to do so in the future. Sharing, of course, requires compatibility among those sharing a frequency.

### **Low Power operations on 12.5 KHz offsets in the 450 - 470 MHz band**

The Coalition has supported the designation of a number of frequencies for low power operations. However, selection of the specific frequencies and the number of such frequencies to be earmarked for low power operations must be deferred until after the Commission adopts a consolidation plan.

### **Emergency Response Channels, 470 - 512 MHz, Low Band**

Without adequate explanation, ITA proposes to reserve the frequencies now listed in Section 90.283 for so-called emergency response communications. Again, the Coalition is not in a position to comment usefully on this proposal. Here, too, if such a proposal has merit, it should become the subject of a proposal in a notice and comment proceeding so that interested persons would have an opportunity to comment. Similarly, the proposal to consolidate all of the 470 - 512 MHz frequencies in a single pool should be subject to notice and comment.

The 30 - 50, and the 72 - 76 MHz bands were specifically excluded from the re-farming proceeding. ITA now proposes that the two-pool consolidation it proposes should include the frequencies in those bands. Here again, the proposal may not be adopted without public notice and an opportunity for public comment.

### **Other Matter**

While time has not permitted a thorough examination of ITA's frequency tables and footnotes, a number of apparent errors have been observed. For example:

- The VHF Automobile Emergency Radio Service frequencies, and others, currently contain a prohibition against use of the frequency aboard aircraft. See FCC Rule Sections 90.95(a)(1), (d)(4) and (d)(5). This prohibition has been deleted in the ITA plan without explanation.
- The VHF frequencies reserved for assignment to tow truck operators<sup>4</sup> (rather than the auto clubs) contain a restriction limiting assignment of only one frequency of the group in any area. This restriction has been eliminated in ITA's plan.
- The frequency 150.9725 MHz, currently available for auto club use, is listed in the ITA plan as a primary oil spill frequency. No explanation is provided.
- The UHF offset frequencies 452.4375, 452.5625, 452.5875 and 452.6125 MHz currently permit low power (2 watt) telemetry operations, a provision not included in ITA's listing.
- The proposal deletes limitation 5 for numerous VHF Manufacturers Radio Service frequencies. This limitation restricts output power to 110 watts. No reason is specified for this change to the discrete frequencies affected.
- Proposed Limitation 19 to ITA's frequency table provides for the assignment of the new frequencies "with an authorized bandwidth not to exceed 11.25 KHz". This limitation is at odds with Section 90.209(b)(5), footnote 3, under which a bandwidth of 20 KHz may be authorized for such purposes as TDMA and other spectrally efficient digital operation. It is also at odds with footnote (1) to the table in Section 90.209(b)(5) which provides that 11.25 KHz and 6.00 KHz will be assigned to stations first authorized on or after August 18, 1997 (now changed to a new date).

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<sup>4</sup>These frequencies are 150.815, 150.8225, 150.830, 150.8375, 150.845, 150.8525, 150.860, 150.8675, 150.875, 150.8825, 150.890 and 150.8675, as well as the group 158.470, 157.4775, 157.485, 157.4925, 157.500, 157.5075, 157.515 and 157.5225 MHz. See Rule Sections 90.95(d)(3) and (6).

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- The proposal deletes the provision for secondary telemetry on numerous UHF frequencies. While the proposal makes reference to the work of an LMCC task force on low-power, that group has not completed its work; at a minimum, therefore, it is premature to consider deleting a limitation which was just incorporated in the new Rules by the re-farming Report and Order of June 1995. 10 FCC Rcd 10076.
- The proposal deletes limitation 18 in Taxicab Radio Service Rule 90.93. Limitation 18 incorporates by reference Rule 90.173 which, in turn, specifies that taxi channels are ordinarily assigned in pairs (subsection (I)). Deletion of the pairing Rule would create havoc in taxi communications, as would intermixing non-taxi simplex with taxi paired operation.
- Eligibility of non-profit associations has been eliminated without explanation.

### Conclusion

For the foregoing reason, the proposals in ITA's January 21, 1997 filing should be rejected.

An original and one copy of this letter is supplied for inclusion in the Commission's docket file.

Respectfully Submitted,

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ASSOCIATIONS, INC.

By: 

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FOREST INDUSTRIES  
TELECOMMUNICATIONS


By: 

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Its Attorney

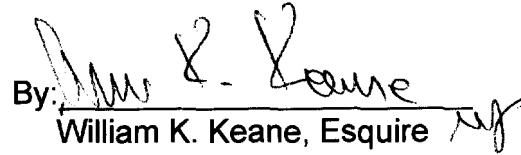


Mr. William F. Caton  
February 7, 1997  
Page 8

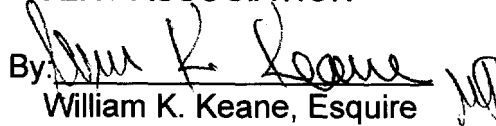
AMERICAN AUTOMOBILE  
ASSOCIATION

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MANUFACTURERS RADIO FREQUENCY  
ADVISORY COMMITTEE, INC.

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INTERNATIONAL TAXICAB AND  
LIVERY ASSOCIATION

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cc: Chairman Reed E. Hundt  
Commissioner James H. Quello  
Commissioner Rochelle B. Chong  
Commissioner Susan Ness  
Michele C. Farquhar, Esquire  
Secretary, FCC for PR Docket 92-235  
Rudolfo M. Baca  
Julius Genachowski  
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David R. Siddall  
Suzanne Toller  
Ira Keltz  
International Transcription Services, Inc.  
Mark E. Crosby, CEO, ITA  
Robert Hoggarth, PCIA  
Jeffrey L. Sheldon, UTA  
Thomas J. Keller, AAR  
Wayne Black, API

**COALITION OF INDUSTRIAL AND LAND  
TRANSPORTATION RADIO USERS**

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**DEC 20 '96**

**FEDERAL COMMUNICATIONS  
COMMISSION  
OFFICE OF SECRETARY**

December 20, 1996

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Ex Parte Presentation  
PR Docket No. 92-235

Dear Mr. Caton:

The undersigned parties, members of the Coalition of Industrial and Land Transportation Radio Users (the "Coalition"), hereby submit these comments in connection with two of the important, unresolved issues in the re-farming proceeding. In particular, the Coalition addresses herein (1) reliance on a common database in effecting post-consolidation frequency coordination; and (2) the need for coordinator concurrence rather than mere notification.

Background

In its Reply Comments in this proceeding, filed January 16, 1996; the Coalition responded to arguments that the Commission should not mandate use of a common database, but rather allow coordinators to rely on some form of electronic data exchange and merely notify other coordinators of coordinations simultaneous with their transmittal to the Commission. The Coalition wishes to provide new information to the Commission relevant to these issues.

### Discussion

On Tuesday, December 17, the Land Mobile Communications Counsel ("LMCC") held a meeting, the principal purpose of which was a presentation by Dr. Harry R. Anderson, President, EDX Engineering, Inc. Dr. Anderson's firm has developed prototype software for frequency coordination according to the criteria articulated in the Telecommunication Industry Association ("TIA") Working Group 8.8 Report for a protected service area environment. After describing the various features and functions of the product, Dr. Anderson was asked what sort of database was needed. Mindful of the fact that coordinators use a multiplicity of different databases, he stressed that in order for the software to run on these databases, each one of them had to be uniform in terms of the content of the data needed for coordination and the format in which that data was displayed.

Dr. Anderson further opined that software developers like EDX had little or no interest in attempting to develop software capable of running with multiple different databases.

The lesson in this is important. If the private land mobile community is to be able to successfully implement re-farming, their databases must be uniform with respect to licensee parameters.

In the Coalition's view, the Commission's database could serve as the starting point. However, that database would have to be supplemented in order to reflect applications and pending coordinations, as well as newly-granted licenses. This updating would have to be accomplished by coordinators themselves, who would need to share current data on a more or less continuous basis. Agreement on a common format and content for data elements is essential for such sharing and, as Dr. Anderson observes, for multiple coordinators to be able to use common software. In effect, then, a common database would be created by virtue of the updating process. It is to be hoped that the coordination community will be able to agree on a common format and content so as to be able to realize the benefits of common software and create a virtual common database.

This, of course, does not resolve the separate question of concurrence versus notification. It is the Coalition's view that the Commission must prescribe some minimum period of time (say ten (10) to twenty (20) business days) within which other coordinators in a pool may register an objection to a proposed coordination (with silence being deemed consent if an objection is not timely registered). A system under which an initiating coordinator may simply notify other coordinators in a pool simultaneous with transmitting the application to the

Mr. William F. Caton  
December 20, 1996  
Page 3

Commission risks serious harm to incumbents and additional, entirely unnecessary burdens for the Commission and coordinators in dealing with after-the-fact objections to applications.

Unlike the situation at 800/900 MHz (which the proponents of mere notification rely upon), there are no common standards between and among coordinators for Part 90 frequency coordinations. For example, some coordinators use very liberal co-channel separation standards (e.g. only five or ten miles) while others use very conservative standards (e.g. 110 miles). Until the coordination community has an opportunity to develop a consensus on standard coordination criteria (a process which may take many months of actual operating experience post-consolidation), it is imperative that concurrence of "home" coordinators be required in any instance where co-channel licensing is proposed within a set separation distance. Moreover, as a predicate for any such agreement coordinators need to know the outlines of the ultimate consolidation plan. In short the Coalition would urge that the Commission allow an opportunity for the coordination community to attempt to reach an agreement on provisional triggers for requiring concurrences before any consolidation becomes effective. A notice-only system should not be allowed unless and until standard coordination criteria have been adopted.

This principle holds true for exclusive use, as well as shared use, channels. While the TIA 8.8 Report may ultimately be looked upon as setting the necessary standards for exclusive use, the Report is expected to undergo further revision and, in any event, has not been fully tested; moreover, the all-important software necessary to implement the Report's recommendations remains at a prototype level. Hence for exclusive use channels as well, it is entirely premature to allow frequency coordinations based on mere notice only.

Mr. William F. Caton  
December 20, 1996  
Page 4

Conclusion

The Commission's database (as supplemented) should be controlling. An effective date for any consolidation should be deferred until the coordination community has had an opportunity to agree on certain key matters. Coordinator concurrences should be made mandatory.

An original and one copy of this letter is supplied for inclusion in the Commission's docket file.

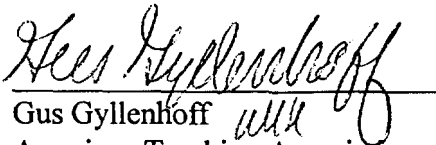
Sincerely,



William K. Keane  
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**COALITION OF INDUSTRIAL AND LAND  
TRANSPORTATION RADIO USERS**

January 21, 1997

**RECEIVED**

**JAN 23 1997**

FLETCHER, HEALD & HILDRETH

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N. W.  
Washington, D. C. 20554

Re: PR Docket No. 92-235

Dear Mr. Caton:

This is with reference to the letter of January 6, 1997 from Industrial Telecommunications Association, Inc. ("ITA") in the above-captioned proceeding. ITA takes issue with the Coalition of Industrial and Land Transportation Radio Users' (the "Coalition's") proposal that post-consolidation coordinations be the subject to a brief period for concurrence by other coordinators. In particular the Coalition suggested that a period of 10-20 business days be allowed for concurrence, with silence being deemed consent.

ITA argues in favor of mere notification. It suggests that coordinators would "never" be able to agree on co- and adjacent-channel separation criteria; that any attempt to protect different users according to different standards would be discriminatory; that critical private wireless operations can be protected by means of protected service areas ("PSAs"); and that concurrence "would be incredibly, and inexcusably, detrimental to the private wireless industry." Id. at 4.

ITA is mistaken. It has nothing to fear from a concurrence requirement. Rather such a requirement will help ensure that, in the course of transitioning to consolidated pools below 512 MHz, users whose facilities are critical for worker safety or other operational considerations will not suddenly find themselves subject to interference.

Take, for example, radio frequencies used to control overhead cranes in the movement of vats of molten steel, or those used to monitor the shipment of hazardous materials

Mr. William F. Caton

January 21, 1997

Page 2

(such as radioactive waste) in the trucking industry, or those used for transmission of emergency data messages (where delay can cost lives), or those used in hazardous logging operations -- each of these deserves greater protection (separations) than a run-of-the-mill hamburger order at a Wendy's drive-through. Yet, under ITA's proposal the Commission and other coordinators would be forced to spend extra time and effort attempting to rectify improvident coordinations already in the processing pipeline at Gettysburg. It is for reasons like these that after the fact efforts at correcting problem coordinations are avoided by the Commission in favor of prior concurrence. See Rule 101.103(d) (prior notice and opportunity afforded for objection before fixed microwave applications may be filed).

While ITA suggests that it would protect critical uses, it also seems to characterize such efforts as "[d]iscriminatory". *Id.* at 4. There is nothing "discriminatory" about protecting critical uses. For example, Title II of the Communications Act does not prohibit discrimination per se, only that which is unreasonable and hence unlawful. See 47 U.S.C. Section 202(a). There is certainly nothing unreasonable about protecting critical uses with greater separations.

In any event, ITA's position begs the question: How can it protect mission-critical systems unless it knows what it needs to protect? It is the receiving coordinators which have data on system usage -- not an initiating coordinator. It is for this reason that concurrence of the type proposed here is the only sensible solution pending agreement on appropriate separations for mission-critical systems.

Nor is it enough to suggest that PSAs will cure the problem. Let's face it: Some incumbents may be unable to secure PSAs due to an inability to secure necessary co-channel concurrences. Reliance on PSAs, therefore, is no answer for users who may continue to require protection.

The Coalition suggests that a two-fold solution is readily available: (1) require pooled coordinator concurrences until agreement is reached on appropriate protections for users unable to transition to exclusive channels (standards for which are not yet known); and (2) urge

Mr. William F. Caton  
January 21, 1997  
Page 3

coordinators to meet and reach agreement on such protections once the shape of the consolidated pools is known (something which the Commission contemplated and endorsed in the Report and Order in this proceeding ( FCC 95-255, released June 23, 1995) at, e.g., paras. 27, 76 (coordinators to agree on separation requirements based on, inter alia, "the particular operating environment of each licensee").<sup>1</sup>

\* \* \* \*

ITA has offered no specific reasons in support of its position that concurrence would somehow undermine re-farming's goals. On the contrary, a concurrence requirement would facilitate a smoother transition to what will be a dramatically different world for frequency usage below 512 MHz.

The private wireless communication is close to realizing the long-awaited benefits of re-farming. It is important that this issue be resolved in favor of concurrence lest those benefits be lost in a sea of untoward, adverse effects for users, and extra, unnecessary work for the Commission's staff and coordinators.

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<sup>1</sup> ITA suggests that notifications to other coordinators should include the same data "required by the FCC to issue a license, FCC Form 600 data." Id. at 5. However, at footnote 3 the letter states that

"the extent of the data transfer required is minimal, i.e. frequency advisory committee number, call sign, expiration dat[e], special conditions, etc. as all pertinent administrative and technical data should already reside within each coordinator's database."


It is unclear how all this data would reside within each coordinator's database unless transmitted by an initiating coordinator. Certainly requiring a receiving coordinator to marry up data extracted from the FCC's database, on the one hand, with the meager notification data suggested for transmittal among coordinators, on the other hand, would be a waste of time and resources for receiving coordinators. It would also make more difficult the protection of critical incumbent systems against newcomers coordinated nearby.




Mr. William F. Caton  
January 21, 1997  
Page 4

An original and one copy of this letter is supplied for inclusion in the Commission's docket file.


Sincerely,

  
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cc: Secretary  
Mark E. Crosby  
Robert Hoggarth  
Jeffrey L. Sheldon  
Thomas J. Keller  
Wayne V. Black